

CASE NUMBER: 15SN0602

APPLICANTS: Priority Auto – c/o Ellmer Properties and Pete Borches



**STAFF'S ANALYSIS
AND
RECOMMENDATION**

Board of Supervisors (BOS)

Public Hearing Date:

SEPTEMBER 16, 2015

BOS Time Remaining:

365 DAYS

Applicants' Agent:

BRENNEN KEENE

(804-775-1005)

Applicants' Contacts:

DENNIS ELLMER (757-366-5000)

PETE BORCHES (434-220-8813)

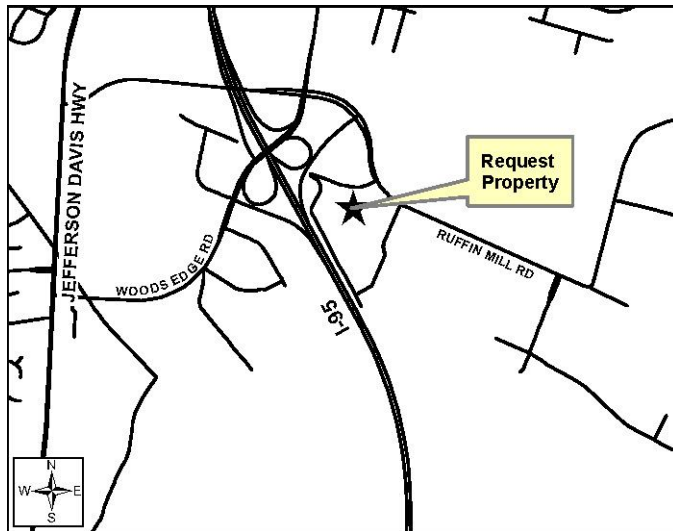
Planning Department Case Manager:

RYAN RAMSEY (804-768-7592)

CHESTERFIELD COUNTY, VIRGINIA

Magisterial District: **BERMUDA**

2107 Ruffin Mill Road



APPLICANTS' REQUEST

Conditional use to permit two (2) electronic message center signs plus conditional use planned development to permit exceptions to signage requirements.

Two (2) freestanding project identification signs are proposed for two (2) separate motor vehicle dealership developments. Each sign would exceed the permitted area and height requirements of the Ordinance and incorporate an electronic message center component on each sign.

Notes:

- A. Conditions may be imposed or the property owner may proffer conditions.
- B. Proffered conditions, Textual Statement, elevations and zoning history map are located in Attachments 1-5.

RECOMMENDATION

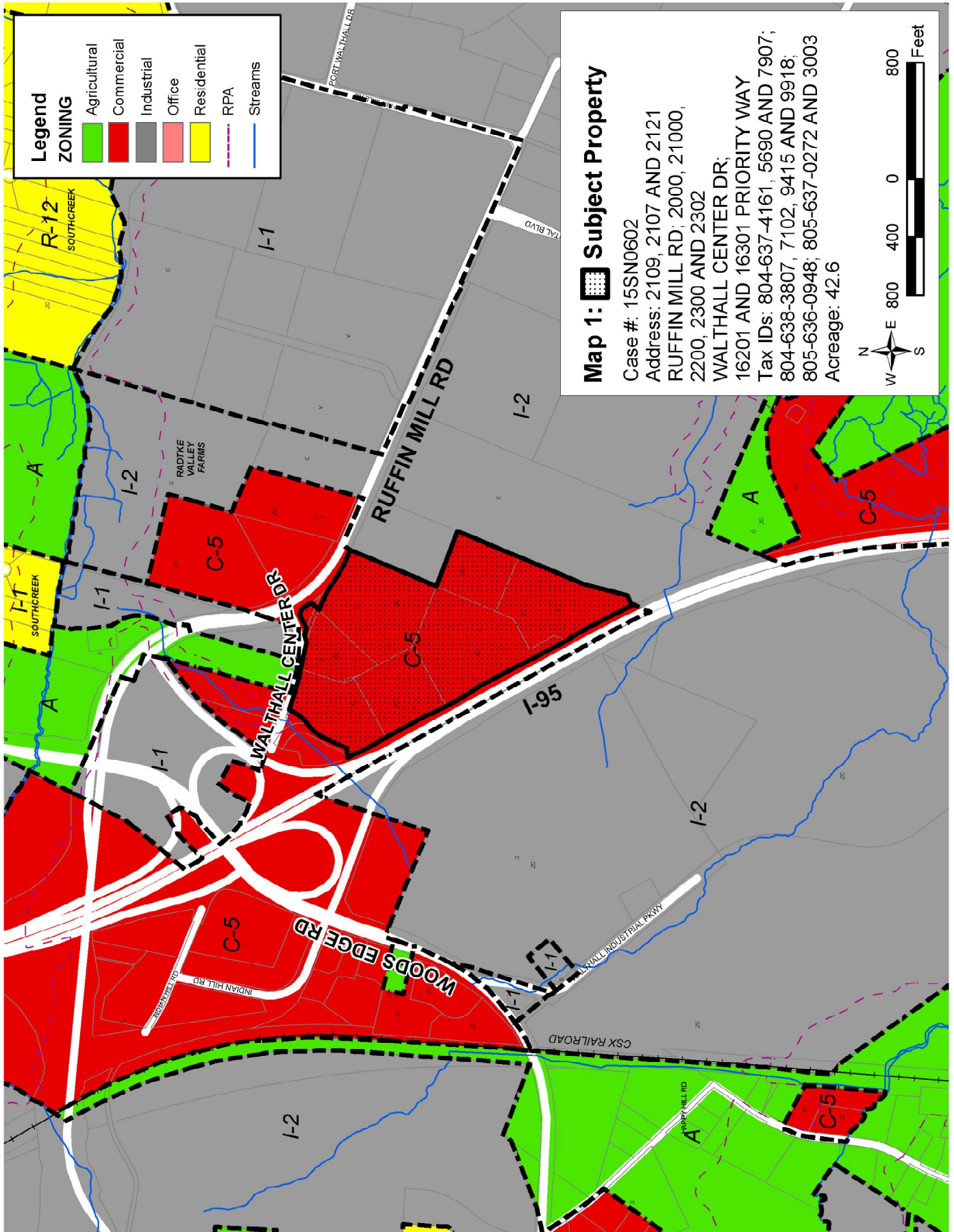
PLANNING
COMMISSION
(8/18/2015)

RECOMMEND APPROVAL

- Signage will increase visibility for motor vehicle dealerships not directly fronting the entrances to these projects

RECOMMENDATION (CONTINUED)	
STAFF	<p>RECOMMEND DENIAL</p> <ul style="list-style-type: none"> • Sign standards provide sufficient freestanding signage to identify commercial projects • A practical alternative exists • May encourage other businesses to seek similar exceptions

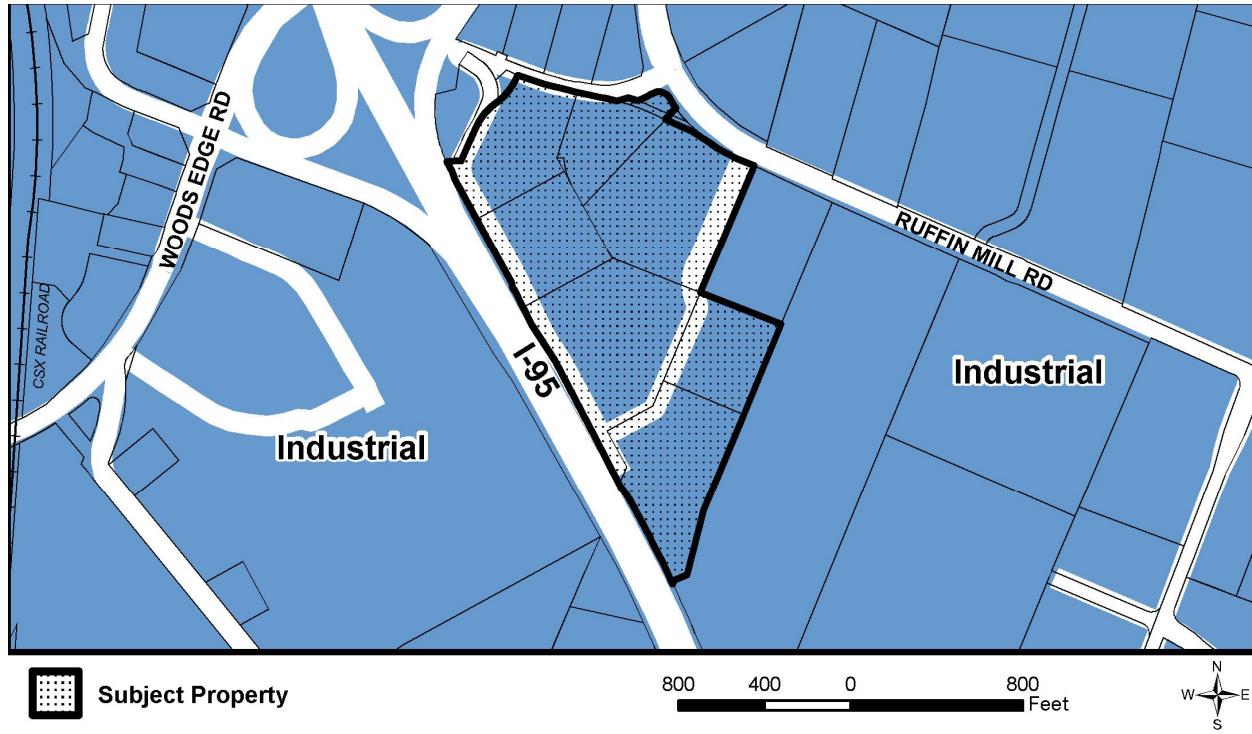
SUMMARY OF IDENTIFIED ISSUES	
Department	Issue
PLANNING	<ul style="list-style-type: none"> • Each freestanding project identification sign will exceed permitted area and height requirements • Applicant could construct signs to meet Ordinance requirements for area and height as a practical alternative • May lead to the proliferation of oversized signs
FIRE	-
CDOT	-
VDOT	-
UTILITIES	-
ENVIRONMENTAL ENGINEERING	-



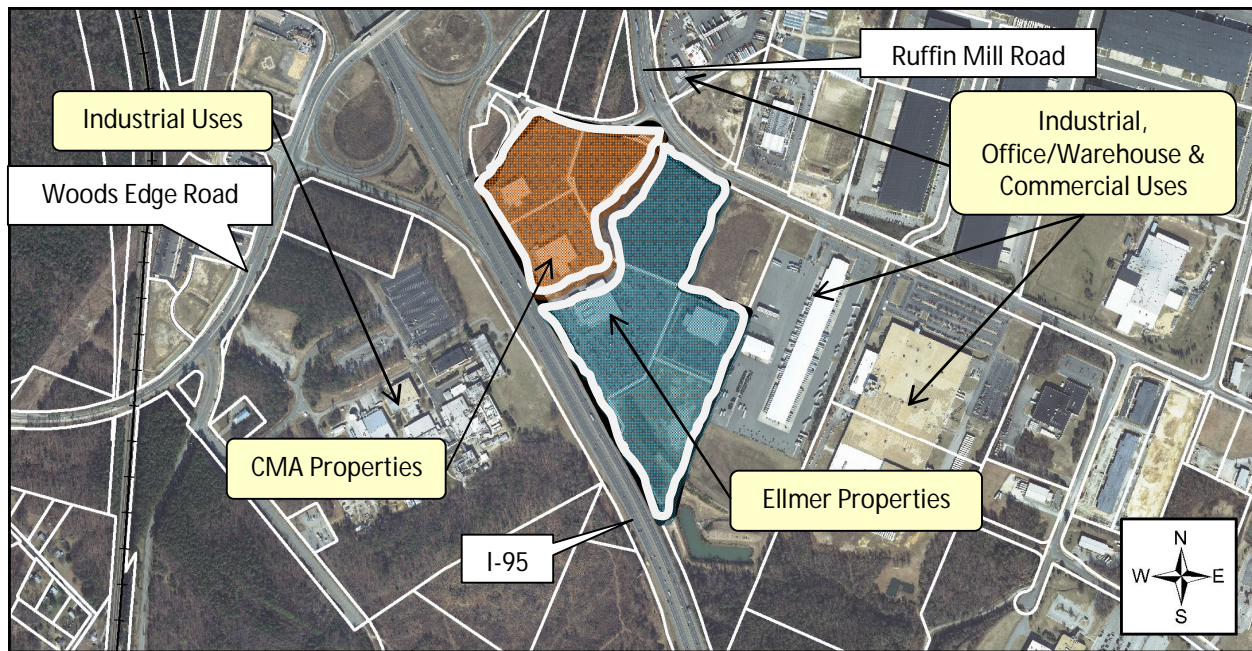
Map 2: Comprehensive Plan

Classification: **INDUSTRIAL**

The designation suggests the property is appropriate for moderate to intense manufacturing uses that are generally dependent upon the processing of raw materials, and uses normally have associated outside storage areas. Typical uses could include paint, tobacco products, paper, rubber, plastic and cement manufacturing; truck terminals; and boat repair.



Map 3: Surrounding Land Uses & Development



PLANNING

Staff Contact: Ryan Ramsey (804-768-7592) ramseyrp@chesterfield.gov

ZONING HISTORY

Case Number	BOS Action	Request		
		Dealership	Area (Square Feet)	Height (Feet)
05SN0323	Approved (9/21/2005)	Conditional Use Planned Development for signage		
		Honda	100	30
06SN0276	Approved (6/28/2006)	Conditional Use Planned Development for signage		
		Toyota	163	48
08SN0121	Approved (10/24/2007)	Conditional Use Planned Development for signage		
		Hyundai	144	30
10SN0271	Approved (9/21/2005)	Conditional Use Planned Development for signage		
		Nissan	113	50
12SN0118	Approved (10/26/2011)	Conditional Use Planned Development for signage		
		Volkswagen	50	30
12SN0201	Approved (6/27/2012)	Conditional Use Planned Development for signage		
		Kia – Sign 1	100	30
		Kia – Sign 2	50	20
The location of these signs is depicted in Attachment 5.				

PROPOSAL

Two (2) freestanding project identification signs are proposed for each motor vehicle dealership development, each with its own electronic message center (EMC) component.

PROJECT IDENTIFICATION SIGNS

Each motor vehicle dealership development contains three (3) motor vehicle dealerships that are separately managed by individual property owners. Therefore, each motor vehicle dealership development can be classified as an individual project that is permitted one (1) project identification sign.

The following table outlines the applicants' request in comparison to Ordinance requirements:

Signage Request & Ordinance Requirements			
Requirements	Ellmer Properties (Nissan, Toyota, Volkswagen)	CMA Properties (Honda, Hyundai, Kia)	Ordinance ²
Number of Signs ¹	1	1	1
Area	100	100	62.5 ³
Height	20	20	15
¹ Permitted number of signs per motor vehicle dealership development.			
² Based upon a nonresidential community (motor vehicle dealership development) with less than 300,000 square of gross floor area.			
³ Figure is based upon the permitted sign area (50 square feet) plus permitted changeable copy bonus (12.5 square feet)			

The proposed signs will significantly exceed the permitted area and height requirements for a freestanding project identification sign. The applicants request may also set a precedent for other businesses to pursue a similar request.

ELECTRONIC MESSAGE CENTER SIGN (EMC) COMPONENT

The applicants also propose incorporating an EMC component into each of the freestanding project identification signs. The following chart provides an overview of the proffered conditions offered by the applicant to mitigate the impact of the EMC component on area properties, limitations on the EMC sign component, as well as the location of the nearest EMC signs:

General Overview for EMC Component	
Requirements	Details
Master Plan	Textual Statement outlines area and height exceptions <i>Proffered Condition 1</i>
Sign Design	Signs generally constructed as shown in Exhibits A & B <i>Proffered Condition 2, Attachments 3 & 4</i>
Copy Lines	Maximum of three (3) lines <i>Proffered Condition 3</i>
Frequency of Message Change	30 Second Minimum <i>Proffered Condition 3</i>
Sequential Messaging	Prohibited <i>Proffered Condition 3</i>
Flashing or Travelling Messages	Prohibited <i>Proffered Condition 3</i>
Bijou Lighting or Animation	Prohibited <i>Proffered Condition 3</i>
Sign Design	Architecturally designed sign that is compatible and complimentary to the building it serves <i>Proffered Condition 3</i>

General Overview for EMC Component (Continued)	
Requirements	Details
Brightness	<ul style="list-style-type: none"> • Not exceed 0.3 foot candles above ambient light as measured at a distance of one hundred (100) feet • Require a photocell to adjust sign brightness, based on ambient light conditions <i>Proffered Condition 3</i>
Nearest Existing EMC Signs	Calvary Baptist (9,350 feet to the southwest, Route 1)
Distance Between Proposed EMC Signs	<ul style="list-style-type: none"> • As proposed, EMC signs will be approximately 400 feet from each other • Competing businesses may have spacing less than 1,000 feet from each other's EMC Sign.

As proffered, the applicant's request complies with the Electronic Message Center (EMC) Policy.

PUBLIC FACILITIES

FIRE SERVICE

Staff Contact: Greg Smith (804-706-2012) smithgd@chesterfield.gov

Nearby Fire and Emergency Medical Service (EMS) Facilities

Fire Station	The Dutch Gap Fire Station, Company Number 14
EMS Facility	Bensley-Bermuda Volunteer Rescue Squad

The request will have a minimal impact on Fire and EMS services.

COUNTY DEPARTMENT OF TRANSPORTATION

Staff Contact: Jim Banks (804-748-1037) banksj@chesterfield.gov

County Department of Transportation has no comment on this request.

VIRGINIA DEPARTMENT OF TRANSPORTATION

Staff Contact: Brian Lokker (804-674-2384) brian.lokker@vdot.virginia.gov

VDOT Land Use Regulations

Traffic Impact Analysis (24VAC30-155)	-
Access Management (24VAC30-73)	-
Subdivision Street Acceptance (24VAC30-91/92)	-
Land Use Permit (24VAC30-151)	Advertising signage is not permitted to be placed within the limits of state maintained rights-of-way. The sign locations shall be placed at locations that do not prohibit the sight lines of exiting vehicles at access points and/or intersections. VDOT can evaluate the sign locations prior to placement by contacting Land Use at 804-674-2531.
Summary	-

WATER AND WASTEWATER SYSTEMS

Staff Contact: Jamie Bland (804-751-4439) blandj@chesterfield.gov

The proposal's impacts on the County's utility system are detailed in the chart below:

Water and Wastewater Systems			
	Currently Serviced?	Size of Existing Line	Connection Required by County Code?
Water	Yes	8"	Yes
Wastewater	Yes	8"	Yes

Additional Information:

The existing commercial structures are connected to the public water and wastewater systems. Freestanding signs shall be located outside of recorded utility easements. The request will not impact the public water and wastewater systems.

ENVIRONMENTAL

Drainage, Erosion and Water Quality

Staff Contact: Doug Pritchard (804-748-1028) pritchardd@chesterfield.gov

Environmental Engineering has no comment on this request.

CASE HISTORY	
Applicants Submittals	
10/3/14	Application submitted
1/28/15	Revised proffers, Textual Statement and elevation drawings were submitted
7/20/15	Revised proffers, Textual Statement and elevation drawings were submitted
8/14/15	Revised proffers, Textual Statement and elevation drawings were submitted
Planning Commission Meeting	
8/18/15	<p>Citizen Comments No citizens spoke to this case.</p> <p>Commission Discussion The Commission noted their support for this case:</p> <ul style="list-style-type: none"> • Visibility is limited for the motor vehicle dealerships at the entrance to each of these projects along Ruffin Mill Road • Signage area and height have been reduced since initial application filing • Proposed project identification signage will help customers to find the appropriate project entrance for each motor vehicle dealership development <p>Recommendation – APPROVAL AND ACCEPTANCE OF THE PROFFERED CONDITIONS IN ATTACHMENT 1</p> <p>Motion: Patton Second: Wallin AYES: Gulley, Waller, Brown, Patton and Wallin</p>
The Board of Supervisors on Wednesday, September 16, 2015, beginning at 6:30 p.m., will consider this request.	

PROFFERED CONDITIONS

Note:

"CPC" – Recommended by the Planning Commission only

The Owners (the "Owners") in this zoning case, pursuant to §15.2-2298 of the Code of Virginia (1950 as amended) and the Zoning Ordinance of Chesterfield County, for themselves and their successors or assigns, proffer that the development of the Property known as Chesterfield County Tax Identification Numbers 804-637-7907, 805-637-0272, 805-637-3003, 805-636-0948, 804-637-4161, 804-637-5690, 804-638-3807, 804-638-7102, 804-638-9415, and 804-638-9918 (the "Property") under consideration will be developed according to the following conditions if, and only if, the rezoning request for a Conditional Use ("CUP") and Conditional Use Planned Development ("CUPD") is granted. In the event the request is denied or approved with conditions not agreed to by the Owners, the proffers shall immediately be null and void and of no further force or effect.

- (CPC) 1. Master Plan. The Textual Statement dated September 29, 2014, last revised August 13, 2015, shall be considered the Master Plan. (P)
- (CPC) 2. Sign Design. The project signs shall be constructed generally as shown on Exhibit A and Exhibit B. (P)
- (CPC) 3. Electronic Sign. In addition to Ordinance requirements, any computer-controlled, variable message, electronic sign shall conform to the following standards:
- A. Copy shall be limited to a maximum of three (3) lines and shall not move but may fade.
 - B. The message or display shall be programmed to change no more than once every thirty (30) seconds.
 - C. Sequential messaging shall be prohibited.
 - D. Flashing and traveling messages shall be prohibited.
 - E. Bijou lighting and animation effects shall be prohibited.
 - F. The electronic message center shall be incorporated into an architecturally designed sign structure that is compatible and complimentary to the project it serves.
 - G. Brightness shall be limited so as not to exceed 0.3 foot candles above ambient light as measured using a foot candle meter at a distance of 100 feet. The computer-controlled, variable message, electronic sign shall have a photocell that automatically adjusts the brightness according to ambient light conditions. (P)

TEXTUAL STATEMENT

September 29, 2014

Revised January 8, 2015

Revised July 20, 2015

Last Revised August 13, 2015

The Owners request a Conditional Use for an Electronic Message sign and a Conditional Use Planned Development ("CUPD") to permit zoning ordinance exceptions, as described below, for the C-5 General Business District zoned properties known as Chesterfield County Tax Identification Numbers 804-637-7907, 805-637-0272, 805-637-3003, 805-636-0948, 804-637-4161, 804-637-5690, 804-638-3807, 804-638-7102, 804-638-9415, and 804-638-9918.

EXCEPTION:

An exception of 50 square feet to the 50 square foot limit for project sign area and an exception of 5 feet to the 15 foot limit for sign height for each freestanding project sign (Exhibits A and B) as set forth in Sec. 19-649 of the County Zoning Ordinance.

EXHIBIT A

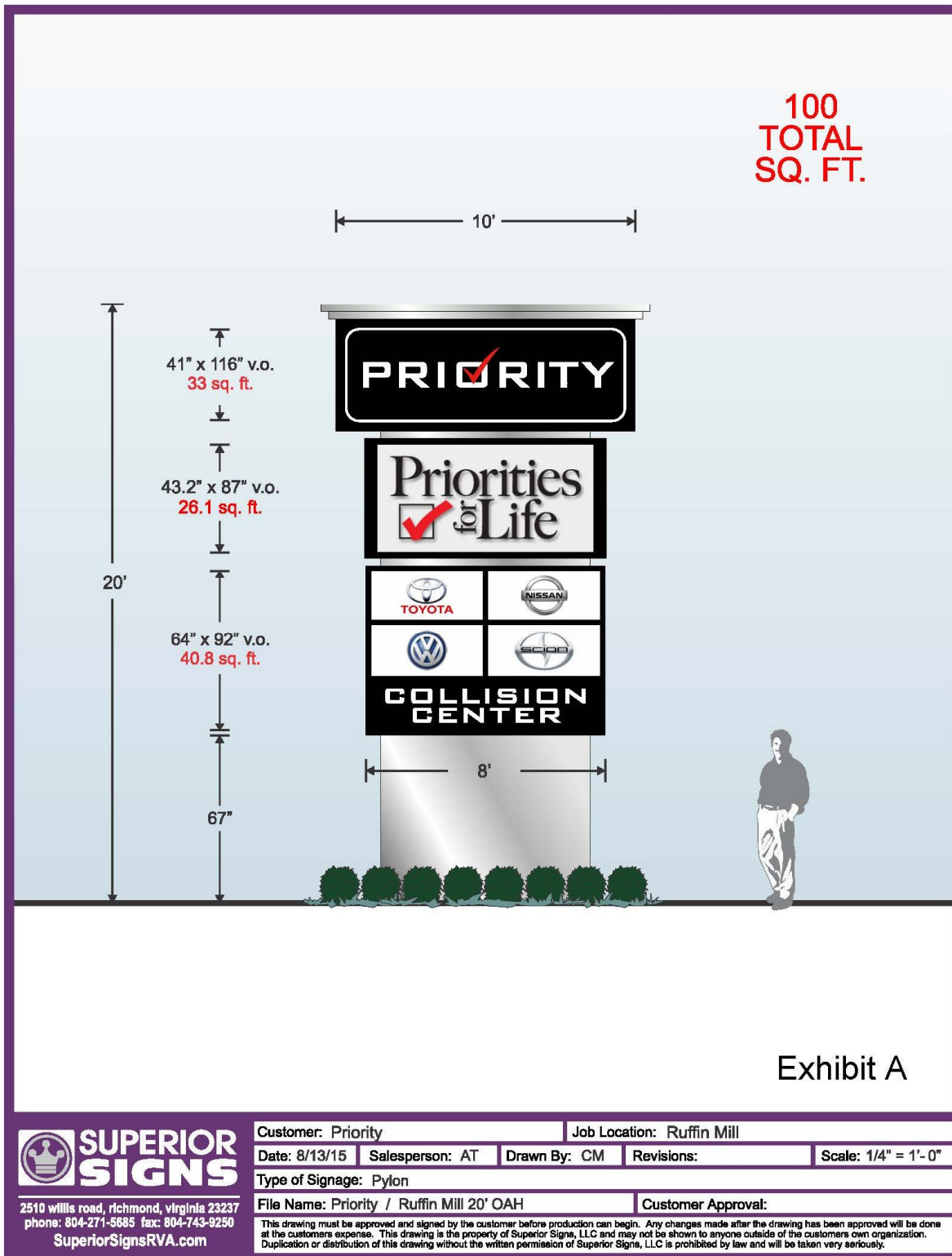
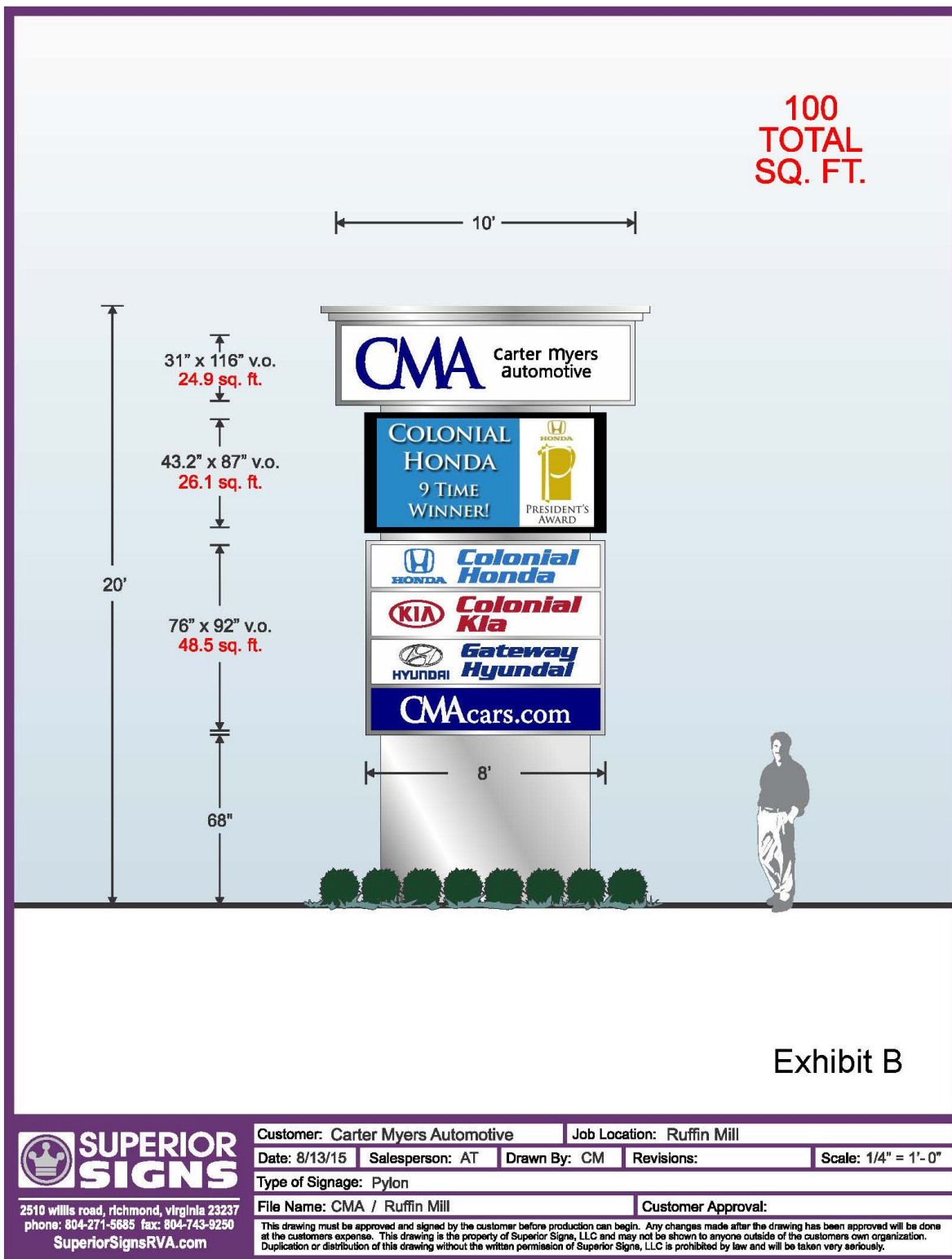


EXHIBIT B



PROPOSED SIGN LOCATIONS & SIGN EXCEPTION HISTORY

